

KATHLEEN BLISS, ESQ.  
Nevada Bar No. 7606  
JACQUELINE TIRINNANZI, ESQ.  
Nevada Bar No. 13266  
KATHLEEN BLISS LAW PLLC  
1070 West Horizon Ridge Pkwy., Suite 202  
Henderson, Nevada 89012  
Telephone: 702.463.9074

*Attorneys for Harold David Sobel*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HAROLD DAVID SOBEL,

Defendant.

CASE NO.: 2:21-cr-00235-APG-EJY

**Stipulation to Continue Sentencing and  
Proposed Order  
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney for the District of Nevada, and Mina Chang, Assistant United States Attorney, and Gustav W. Eyler, Director, and Meredith B. Healy and Wei Xiang, Trial Attorneys, U.S. Department of Justice, Consumer Protection Branch, counsel for the United States of America, and Jacqueline Tirinnanzi and Kathleen Bliss, counsel for Harold David Sobel, that the sentencing hearing currently scheduled for November 3, 2022 at 1:30 p.m. (ECF No. 80) is continued for one week, to a date and time convenient to this Court, which this Court has indicated as November 9, 2022. This stipulation is made and based upon the following:

1. Mr. Sobel was indicted on August 24, 2021 with conspiracy (count one) in violation of 18 U.S.C. § 371 and false statement to a bank (counts two and three) in violation of 18 U.S.C. § 1014. (ECF No. 14.)
2. Mr. Sobel entered a change of plea on July 14, 2022, pleading guilty to one count of conspiracy to commit bank fraud in violation of 18 U.S.C. §§ 1349 and 1344(1). (ECF No. 53).
3. Counsel for Mr. Sobel were recently in Reno preparing and attending a trial during the

first half of September 2022 and require additional time to review relevant materials and continue meeting with Mr. Sobel in preparation for sentencing.

4. Defense counsel Bliss was recently made aware she must travel out of state during the week of November 3, 2022, to assist with a family member's medical condition and appointments. Therefore, the parties agree to a one-week continuance of the sentencing date, currently scheduled for November 3, 2022, at 1:30 p.m. (ECF No. 80). This Court has indicated November 9, 2022, as a convenient date to reschedule the sentencing hearing. Said date is also amenable for government counsel, some of whom will travel to Las Vegas from Washington, D.C.
5. Mr. Sobel remains in custody at the Nevada Southern Detention Center in Pahrump, Nevada and does not oppose this continuance.
6. The additional time requested herein is sought in good faith and not for purposes of delay.
7. This is the second stipulation to continue the sentencing hearing.
8. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed [for sentencing] in this rule." Furthermore, a delay in sentencing does not implicate or undermine the defendant's speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).
9. Denial of this request for continuance would deny counsel for Mr. Sobel sufficient time to effectively and thoroughly prepare for sentencing, taking into account due diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of justice.

Dated this 17th day of October, 2022.

JASON M. FRIERSON  
United States Attorney

**KATHLEEN BLISS LAW PLLC**  
1070 W. HORIZON RIDGE PKWY., SUITE 202  
HENDERSON NEVADA 89012  
TEL – 702.463.9074

1 By /s/ Mina Chang  
2 MINA CHANG  
3 Assistant United States Attorney

4 GUSTAV W. EYLER  
5 Director, Consumer Protection Branch  
6 U.S. Department of Justice

7 By /s/ Meredith Burns Healy  
8 MEREDITH BURNS HEALY  
9 Trial Attorney

10 By /s/ Wei Xiang  
11 WEI XIANG  
12 Trial Attorney

13 /s/ Jacqueline Tirinnanzi  
14 JACQUELINE TIRINNANZI, ESQ.  
15 Counsel for Harold David Sobel  
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1 UNITED STATES DISTRICT COURT  
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**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND PROPOSED ORDER**

8  
9 **FINDINGS OF FACT**

10 Based on the pending stipulation of counsel, and good cause appearing therefore, the Court  
11 finds that:

- 12 1. Mr. Sobel was indicted on August 24, 2021 with conspiracy (count one) in violation  
13 of 18 U.S.C. § 371 and false statement to a bank (counts two and three) in violation  
14 of 18 U.S.C. § 1014. (ECF No. 14.)
- 15 2. Mr. Sobel entered a change of plea on July 14, 2022, pleading guilty to one count of  
16 conspiracy to commit bank fraud in violation of 18 U.S.C. §§ 1349 and 1344(1).  
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- 18 3. Counsel for Mr. Sobel were recently in Reno preparing and attending a trial during  
19 the first half of September 2022 and require additional time to review relevant  
20 materials and continue meeting with Mr. Sobel in preparation for sentencing.
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23 and appointments. Therefore, the parties agree to a one-week continuance of the  
24 sentencing date, currently scheduled for November 3, 2022, at 1:30 p.m. (ECF No.  
25 80). This Court has indicated November 9, 2022, as a convenient date to reschedule  
26 the sentencing hearing. Said date is also amenable for government counsel, some of  
27 whom will travel to Las Vegas from Washington, D.C.
- 28 5. Mr. Sobel remains in custody at the Nevada Southern Detention Center in Pahrump,

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Nevada and does not oppose this continuance.


6. The additional time requested herein is sought in good faith and not for purposes of delay.
7. This is the second stipulation to continue the sentencing hearing.
8. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).
9. Denial of this request for continuance would deny counsel for Mr. Sobel sufficient time to effectively and thoroughly prepare for sentencing, taking into account due diligence. Accordingly, a denial of this request for continuance could result in a miscarriage of justice.

**ORDER**

Based upon the stipulation of the parties, and good cause appearing, it is hereby ORDERED that Mr. Sobel’s sentencing hearing currently scheduled for November 3, 2022, at 1:30 p.m., be VACATED.

IT IS FURTHER ORDERED that the sentencing hearing is reset for November 9, 2022 at the hour of 11:00 a.m in Courtroom 6C before Judge Andrew P. Gordon.

DATED: October 18, 2022

  
THE HONORABLE ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE